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6 Attorneys for Plaintiffs ROGELIO SERRATO,
7 JULIAN SERRATO AND ISRAEL SERRATO

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10 ROGELIO SERRATO, DECEASED, THROUGH)
11 HIS SUCCESSORS IN INTEREST, JULIAN)
12 SERRATO and ISRAEL SERRATO, minors, by)
and through their grandmother and Next Friend,)
LISA MAGDALENO; and JULIAN SERRATO)
13 AND ISRAEL SERRATO, by and through their)
Next Friend, LISA MAGDALENO, individually.)

No: C11-03642 RMW (PSGx)

Hon. Ronald M. Whyte

14)
Plaintiffs,)
15 vs.)

**AMENDED STIPULATION
AND () ORDER TO
AMEND CASE MANAGEMENT
ORDER**

16 MONTEREY COUNTY, a public entity, SHERIFF)
17 SCOTT MILLER, individually and in his official)
capacity, CAPTAIN CHARLES MONARQUE,)
individually and in his official capacity;)
COMMANDER KEVIN OAKLEY, individually;)
SERGEANT GARRETT SANDERS, individually;)
SERGEANT JOSEPH BANUELOS, individually;)
SERGEANT RANDY RAGSAC, individually;)
DETECTIVE AL MARTINEZ, individually;)
DEPUTY MARK SIEVERS, individually, and)
21 DOES 1-10, individually, jointly and severally.)

22 Defendants.)

23 *Related with:* /)

24 RITA SERRATO, et al.,)

25 vs.)

26 MONTEREY COUNTY, et al.)

27 (No. C-11-4106 RMW))

1 All parties, by and through their attorneys, hereby stipulate to and request that the Court
 2 order that the case management order shall be amended as follows:

Deadline Description	Current Deadline/Date	Proposed Modified Deadline/Date
Disclosure of Expert Witnesses' Identities and Reports	January 25, 2013	February 20, 2013
Settlement Conference		Any appropriate time
Completion of Expert Discovery	February 22, 2013	June 7, 2013
Pretrial Conference	April 4, 2013	Lwn "33."4235"
Trial	April 15, 2013	July 22, 2013

12 The reasons for the requested amendment to the scheduling order are as follows:

13 The reasons for this requested continuance are fully set forth in the accompanying declarations
 14 of Michael J. Haddad and Ben Nisenbaum on behalf of each set of Plaintiffs. In summary, counsel
 15 for both sets of Plaintiffs have other trials that conflict with the currently scheduled April 15, 2013
 16 trial date in the present case. These scheduling conflicts are critical, and will seriously impede
 17 counsel's ability to adequately prepare for and try this wrongful death case. No party currently has
 18 any conflicts with the proposed July trial dates. *See, Declarations of Michael J. Haddad and Ben*
 19 *Nisenbaum.*

21 Additionally, now that all discovery except for expert depositions will be complete, and this
 22 Court will hear the parties' cross motions for summary judgment on February 22, 2013, this case is
 23 ripe for a settlement conference and/or private ADR. Continuing the trial date in this case to the
 24 agreed dates in July would facilitate ADR, and would also allow the parties to do so before having
 25 to complete costly expert depositions.

1 The parties previously stipulated and requested that this Court extend the deadline for
2 participation in a settlement conference, and the Court granted this request. Docket No. 20.
3

4 For the good cause set forth in the accompanying declarations of Michael J. Haddad and
5 Ben Nisenbaum, the parties jointly request that this Court amend the case management order as set
6 forth herein.
7

8 Dated: February 19, 2013

HADDAD & SHERWIN

9 /s/ Michael J. Haddad

10 MICHAEL J. HADDAD

11 Attorneys for Plaintiffs JULIAN SERRATO and
12 ISRAEL SERRATO through their Next Friend,
13 LISA MAGDALENO

14 Dated: February 19, 2013

THE LAW OFFICES OF JOHN L. BURRIS

15 /s/ Benjamin Nisenbaum*

16 BENJAMIN NISENBAUM

17 Attorneys for Plaintiffs I.S. and D.B. through
18 their Guardian Ad Litem EVELYN BELTRAN

19 Dated: February 19, 2013

FERGUSON, PRAET & SHERMAN

21 /s/ Bruce D. Praet*

22 BRUCE D. PRAET

23 Attorneys for Defendants

24 * Mr. Nisenbaum and Mr. Praet provided their consent that this document be electronically filed.

1
2 ORDER
3

4 Pursuant to the stipulation of all parties to this action and good cause appearing therefore, IT
5
6 IS SO ORDERED.
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8 GEO FTH
9

10 DATED
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1 *Ronald M. Whyte*
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3 UNITED STATES DISTRICT JUDGE
4 RONALD M. WHYTE
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